

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                           |   |                             |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, | ) | Case No.: 1:13 CR 302       |
|                           | ) |                             |
| Plaintiff                 | ) |                             |
|                           | ) |                             |
| v.                        | ) | JUDGE SOLOMON OLIVER, JR.   |
|                           | ) |                             |
| YONG XIANG CHEN,          | ) | ORDER ACCEPTING PLEA        |
|                           | ) | AGREEMENT, JUDGMENT AND     |
| Defendant                 | ) | REFERRAL TO U. S. PROBATION |
|                           | ) | <u>OFFICE</u>               |

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Greg White, regarding the change of plea hearing of Yong Xiang Chen, which was referred to the Magistrate Judge with the consent of the parties.

On June 19, 2013, the government filed a three-count Indictment, charging Defendant Yong Xiang Chen with Naturalization Fraud in violation of Title 18 United States Code, Section 1425(a); and Perjury, in violation of Title 18 United States Code, Section 1621. Defendant Chen was arraigned on July 5, 2013, and entered a plea of not guilty to Counts 1 - 3 of the Indictment, before Magistrate Judge William H. Baughman, Jr. On March 3, 2014, Magistrate Judge Greg White, received Defendant Chen's plea of guilty to Count 1 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after

it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Chen is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Chen is adjudged guilty of Count 1 of the Indictment, in violation of Title 18 United States Code, Section 1425(a), Naturalization Fraud. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on June 3, 2014, at 11:00 a.m., in Courtroom 19-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

CHIEF JUDGE

UNITED STATES DISTRICT COURT

March 21, 2014